

REMARKS

This Amendment is responsive to the final Office Action mailed on September 27, 2006. Claims 36-41, 43, 46, 55, 63-65, 67-71, 73, 76-78, 93, and 99 are amended. Claims 35, 42, 66, 72, 79-92, and 98 are cancelled. Claims 36-41, 43-65, 67-71, 73-78, 93-97, and 99 are pending.

As a preliminary matter, Applicant would like to thank the Examiner for the courteous and productive telephone interview held on January 22, 2007, the details of which are set forth below.

Claims 43-45, 73-75, 93-97, and 99 are allowed.

Claims 35, 46, 47, 63-71 and 76-78 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Petrzelka (US 5,222,915) in view of Wilson (US 4,336,868) and Satoh (US 5,264,259) and any one of Benkoczy (US 3,313,541), Kuch (US 5,160,562), Hanson (US 5,281,454) and Foissac (FR 2516859).

Claims 42 and 72 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Petrzelka (US 5,222,915) in view of Wilson (US 4,336,868) and Satoh (US 5,264,259) and any one of Benkoczy (US 3,313,541), Kuch (US 5,160,562), Hanson (US 5,281,454) and Foissac (FR 2516859), in further view of any one of Uchida (US 6,047,756), Pearce (5,261,980), or Aldrich (US 4,846,908).

Claims 48-57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Petrzelka (US 5,222,915) in view of Wilson (US 4,336,868) and Satoh (US 5,264,259) and any one of Benkoczy (US 3,313,541), Kuch (US 5,160,562), Hanson (US 5,281,454) and Foissac (FR 2516859), in further view of any one of Stephens (US 2,467,999), Fairbairn (US 3,715,252), or French patent 2,525,962).

Claims 58-62 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Petrzelka (US 5,222,915) in view of Wilson (US 4,336,868) and Satoh (US 5,264,259) and any one of Benkoczy (US 3,313,541), Kuch (US 5,160,562), Hanson (US 5,281,454) and Foissac (FR 2516859), in further view of any one of Goldsworthy (US 4,125,423), Yu (US 5,435,868), Miller (US 2,731,067), or Zackrisson (US 5,261,991).

Applicant respectfully traverses these rejections in view of the amended claim and the following comments.

Summary of January 22, 2007 Telephone Interview

On January 22, 2007 Applicant's undersigned counsel telephoned the Examiner to determine whether the Examiner would allow Applicant to amend certain of the rejected dependent claims to depend from certain of the allowed claims after issuance of the final Office Action. The Examiner indicated that Applicant would be permitted to amend the rejected dependent claims to depend from certain of the allowed claims, provided that the dependent claims conformed to the limitations of the allowed claim from which it is amended to depend from. The Examiner further indicated that any withdrawn dependent claims could be amended to depend from an allowed claim provided the allowed claim was considered a generic claim.

The claims are amended herein as discussed and agreed with the Examiner.

Discussion of Amended Claims

Claims 43-45, 73-75, 93-97, and 99 are allowed.

Claims 35, 42, 66, 72, 79-92, and 98 are cancelled.

Allowed claims 43, 73, 93, and 99 are amended to change the term "matrix" to read "matrix material" in order to provide proper antecedent basis for certain of the dependent claims and to amend "said flat material configured" to read "said flat material being configured" to improve readability of the claims.

Claims 36-38, and 41 are amended to depend from allowed claim 93. In addition, minor amendments are made to claims 36-40 to conform the claim language to that of independent claim 93.

Claims 46, 55, 63-65, and 67-71 are amended to depend from allowed claim 43.

Claims 76-78 are amended to depend from allowed claim 73.

Accordingly, each of the pending dependent claims now depend from an allowed independent claim, and the present application is now in condition for immediate allowance.


Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the above discussion and the amended claims. Applicant's silence as to any of the Examiner's comments is not indicative of Applicant's acquiescence to the stated grounds of rejection.

Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

Conclusion

In view of above, the Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicant's undersigned attorney.

Respectfully submitted,



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